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CHIRON CORPORATION
INTELLECTUAL PROPERTY LAW DEPT.
PO BOX 8097
EMERYVILLE CA 94662

In re Application of :
Paul A. Barsanti et al :
Serial No.: 10/644,055 : PETITION DECISION
Filed: August 19, 2003 :
Attorney Docket No.: 072121-0307 :

This is in response to the petition under 37 CFR 1.59(b), filed January 2, 2004, to expunge a Proprietary Information Disclosure Statement from the above identified application. This application has not yet been examined.

Petitioner requests that documents submitted with the petition as a Proprietary Information Disclosure Statement (PIDS) be expunged from the record. Petitioner states either: (A) that the information contains trade secret material, proprietary material and/or material that is subject to a protective order which has not been made public; or (B) that the information submitted was unintentionally submitted and the failure to obtain its return would cause irreparable harm to the party who submitted the information or to the party in interest on whose behalf the information was submitted, and the information has not otherwise been made public. The petition fee set forth in 37 CFR 1.17(h) has been paid.

The examiner of the application will consider the information contained in the PIDS and will determine whether the information contained therein relates to the determination of patentability of this application. The result of such determination will be set forth by the examiner in a future Office action. Should any of the information contained in the PIDS be used in a rejection that information will be made part of the official record of the application. If none of the information is pertinent to patentability the PIDS will be returned to applicants upon allowance of the application.

The petition is **GRANTED** to the extent indicated. Upon allowance of the application applicants should immediately submit a request, directed to the TC, for return of the PIDS. No fee will be required for such request.

Should there be any questions with respect to this decision, please contact William R. Dixon, Jr., by mail addressed to: Director, Technology Center 1600, P.O. Box 1450, Alexandria, VA 22313-1450, or by telephone at 571-272-0519 or by facsimile transmission at general Office facsimile number.

A handwritten signature in black ink, appearing to read "Bruce M. Kisliuk". The signature is stylized with a large, looped "B" and "K".

Bruce M. Kisliuk
Director, Technology Center 1600